

REMARKS / ARGUMENTS

Summary of Claims Pending

Claims 17-21, 23 and 25, 26, 28 and 30 are now pending and stood to be allowed.

Claim 17 is being amended so as to include the following penultimate subparagraph:

wherein  $R^{N1}$ ,  $R^{N2}$  each independently represent H or (C<sub>1-6</sub>)alkyl, whereby  $R^{N1}$  and  $R^{N2}$  may be covalently bonded to each other to form together with the N-atom to which they are attached to a 4 to 7-membered heterocycle whereby the -CH<sub>2</sub>- group at the position 4 of a 6 or 7-membered heterocycle may be replaced by -O-, -S- or -NR<sup>N3</sup>- wherein  $R^{N3}$  represents H, -C(O)OR<sup>22</sup>, (C<sub>1-6</sub>)alkyl, (C<sub>3-7</sub>)cycloalkyl or (C<sub>3-7</sub>)cycloalkyl-(C<sub>1-3</sub>)alkyl, wherein  $R^{22}$  is H or (C<sub>1-4</sub>)alkyl;

It should be noted that this subparagraph was originally introduced into claim 17 by the amendment filed on February 14, 2008. Due to error on the part of the applicant, it was omitted from the amendment submitted on October 24, 2008.

The purpose of the subparagraph was explained in the Amendment dated February 14, 2008 as follows: "Definitions of  $R^{N1}$  and  $R^{N2}$  have been added to claim 17. These definitions are found in the specification at page 35 lines 12-17 and so the amendment does not introduce new matter."

Claim 25 has been amended by the deletion of phenyl-SO<sub>2</sub>- from the definition of  $R^{10}$ . The definition of  $R^{10}$  already includes -SO<sub>2</sub>-phenyl, making phenyl-SO<sub>2</sub>- redundant.

It is believed that the application will once again be in condition for allowance after entry of the foregoing amendments.

Respectfully submitted,

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